

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case
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This document relates to:

*Kathleen Ashton, et al v. Al Qaeda Islamic Army, et al. Case No. 1:02-6977 (S.D.N.Y.)
Federal Insurance Co., et al. v. Al Qaida, et al., Case No. 03-CV-6978 (S.D.N.Y.)
Continental Casualty Co., et al. v. Al Qaeda Islamic Army, et al., Case No. 04-CV-
05970-UA (S.D.N.Y.)
New York Marine and General Insurance Co. v. Al Qaida, et al., Case No. 04-CV-6105
(S.D.N.Y.)*

**STIPULATION AND ORDER SETTING SCHEDULE FOR
ABDULRAHMAN BIN MAHFOUZ TO RESPOND TO THE OPERATIVE
COMPLAINTS IN CERTAIN ACTIONS CONSOLIDATED UNDER MDL 1570**

IT IS HEREBY STIPULATED AND AGREED, by and between undersigned counsel for the Plaintiffs in the above-referenced cases that are consolidated for pretrial proceedings under 03-MDL-1570 and Defendant Abdulrahman Bin Mahfouz ("Mr. Bin Mahfouz"), subject to the approval of the Court, as follows:

1. Mr. Bin Mahfouz has been served with the operative Complaints in the above-referenced cases, which are the Fifth Amended Complaint in *Ashton*, the First Amended Complaint in *Federal Insurance*, the First Amended Complaint in *Continental Casualty*, and the First Amended Complaint in *New York Marine* (collectively, the "Operative Complaints"). The parties stipulate and agree that the allegations directed against Mr. Bin Mahfouz in the Fifth Amended Complaint in *Ashton* are identical to the allegations of the Third Amended Complaint in *Ashton*.

2. Plaintiffs pursuing claims for relief under the Racketeer Influenced and Corrupt Organizations Act ("RICO") shall serve their respective RICO Statements concerning Mr. Bin

Mahfouz in accordance with the requirements of paragraph 14 of the Court's Case Management Order No. 2 and the Court's corresponding "Instructions for filing RICO Statement." Plaintiffs intend to serve their respective RICO Statements on or before Friday, August 19, 2005. Mr. Bin Mahfouz reserves the right to move to strike the RICO Statements filed in any of the above-referenced actions for, among other reasons, being untimely under the Court's Case Management Order No. 2 and/or the Court's "Instructions for filing RICO Statement" referenced therein.

3. The time for Mr. Bin Mahfouz to answer or otherwise respond to the Operative Complaints in the above-referenced cases shall be on or before Monday, September 19, 2005.

4. Plaintiffs' responses to Mr. Bin Mahfouz's responsive pleading(s), if any, shall be served on counsel for Mr. Bin Mahfouz within sixty (60) days of the service of Mr. Bin Mahfouz's responsive pleading(s).

5. Mr. Bin Mahfouz's reply papers to plaintiffs' responses (if any) shall be served on counsel for plaintiffs within thirty (30) days of the service of plaintiffs' responses (if any).

6. The foregoing schedule is without waiver of any of Mr. Bin Mahfouz's defenses in each of the above-referenced cases, including but not limited to the defense of lack of personal jurisdiction; except that Mr. Bin Mahfouz will not challenge the sufficiency of Plaintiffs' service of process of the Operative Complaints in the above-referenced cases.

7. Plaintiffs agree that they shall not include Mr. Bin Mahfouz in any notice of service by publication in any language relating to any of the cases currently consolidated before MDL-1570.

Respectfully submitted,

COZEN O'CONNOR

By:


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Attorneys for Plaintiffs

Dated: July 25, 2005

SO ORDERED:

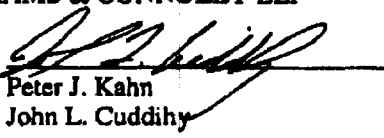


RICHARD CONWAY CASEY, U.S.D.J.

Respectfully submitted,

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By:


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Bin Mahfouz*

Dated: July 25, 2005

Dated: July 26, 2005